

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

BRITTANY HEATH KILLINS,

**CASE NO. 21-00642-5-DMW
CHAPTER 13**

DEBTOR

DEBTOR'S VERIFIED MOTION TO EXTEND AUTOMATIC STAY

Now comes the Debtor, by and through counsel, and moves this court to order, under 11 U.S.C. § 362(c)(3), that the full protections of the automatic stay be extended in this case until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtor shows the court as follows:

1. The Debtor filed the above-captioned case on March 22, 2021

2. On January 21, 2021 the Debtor filed a prior chapter 13 case bearing the assigned Case No. 21-00122-5-DMW in the Eastern District of North Carolina. The court dismissed that case on March 8, 2021. The dismissal of the prior case was because of the following (*mark all that apply*):

- ☒ Debtor or Debtor's immediate family incurred significant medical issues and expenses;
- ☐ Debtor lost job/ had hours reduced/had wages reduced;
- ☐ Debtor incurred a significant expense on primary residence;
- ☐ Debtor incurred a significant expense on primary vehicle;
- ☐ Debtor was owed money by a third party (such as child support, alimony, worker's compensation) and was not paid (*if so, list source of money **);
- ☐ Debtor incurred a significant expense related to a dependent (*if so, provide details*): *
- ☐ Other *

3. The Debtor's circumstances have substantially changed because (*mark all that apply*):

- ☐ Debtor now has new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details: *
- ☐ Debtor now has new income in the form of monetary assistance from a third party individual (*provide details*): *
- ☒ Debtor now has new income in the form of monetary assistance from a third party organization (*provide details*): * Debtor is now receiving unemployment compensation.
- ☐ Debtor now has more available income in the form of reduced expenses (*provide details*): *

✓ Other: * While debtor incurred some medical issues and expenses, the debtor believes those are behind her now.


4. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion (*mark appropriate box*)

- ✓ is filed within five (5) days of the petition date
□ is NOT filed within five (5) days of the petition date.

5. The Debtor has demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtor's circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

Wherefore, the Debtor prays for the court to enter an order extending the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (2), or until further order of the court, and for such further relief as the court deems just and appropriate.

Dated: March 25, 2021


/s/Travis Sasser
Travis Sasser
Attorney for Debtor
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DECLARATION

Under penalty of perjury, I, **Brittany Heath Killins**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.

Brittany Heath Killins

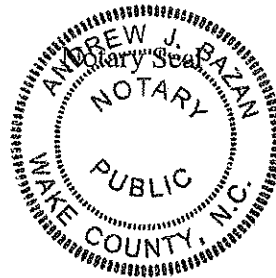
(Signed)

Brittany Heath Killins,

Sworn and subscribed to me this the 25th day of March, 2021

Andrew J. Bazan

Notary Public



END OF DOCUMENT

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

BRITTANY HEATH KILLINS,

DEBTOR

CASE NO. 21-00642-5-DMW
CHAPTER 13

NOTICE OF MOTION

NOTICE IS HEREBY GIVEN that a Motion to Continue Automatic Stay has been filed by the debtor. A copy of the motion accompanies this notice.

TAKE NOTICE FURTHER that pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of North Carolina, you have fourteen (14) days from the date of this Notice of Motion to file a responsive pleading to the attached Motion. If a response is filed, a hearing on this motion will be heard at the United States Bankruptcy Court, Eastern District of North Carolina, Raleigh Division located at the Century Station Federal Building, 300 Fayetteville Street, Raleigh, North Carolina 27601 in ***the 3rd Floor Courtroom starting at 10:00am on April 14th.*** You must file your response with the Clerk, United States Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602 with a copy to the undersigned. Any such responsive pleading must contain a request for a hearing if, indeed, you wish to be heard by the Court. Unless a hearing is specifically requested in a responsive pleading, the attached Motion may be determined and final Orders entered by the court without a hearing.

Dated: March 25, 2021



/s/ Travis Sasser

Travis Sasser

Attorney for Debtor

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CERTIFICATE OF SERVICE

The foregoing debtor's Motion to be served on the following parties, by mailing a copy by depositing it in the United States Mail, by First Class Mail, in a properly addressed envelope with adequate postage thereon.

ALL PARTIES ON THE ATTACHED MAILING MATRIX

Dated: March 25, 2021



/s/ Travis Sasser

Travis Sasser

Attorney for Debtor

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Oklahoma City, OK 73118-7901

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Credit One Bank NA
Attn: Managing Officer
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Creditors Collection Service
Attn: Managing Agent
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Roanoke, VA 24018-0152

Fellowship Health Resources
Attn: Managing Agent
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Raleigh, NC 27612-6312

Internal Revenue Service
Centralized Insolvency Operations
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Philadelphia, PA 19101-7346

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Rex Healthcare
Attn: Patient Financial Services
4420 Lake Boone Trail
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Attn: Managing Agent/Bankruptcy
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